

AMENDMENTS TO THE CLAIMS

(IN FORMAT COMPLIANT WITH THE REVISED 37 CFR 1.121)

1. (CURRENTLY AMENDED) A method for providing evenly distributed bandwidth requests between one or more ~~orderly service delivery to~~ clients and a server over a network, comprising the steps of:

(A) requesting data from a location on said server by one of said clients; ~~and~~

(B) if said data is available, transferring said data to said client;

(C) if said data is unavailable, issuing a denial of service indication along with a queuing indication for ~~is received,~~ notifying said client of a particular ~~client~~ time window of availability of said data; and

(D) requesting said data from said server during said time window.

2. (CURRENTLY AMENDED) The method according to claim 1, further comprising the step of:

~~(E)~~ distributing available resources of the network between said clients by evenly distributing said time windows over a period of time.

3. (CURRENTLY AMENDED) The method according to claim 2, further comprising the step of:

~~(D)~~ distributing available resources of said a server between said clients by evenly distributing said time windows over a period of time.

4. (ORIGINAL) The method according to claim 1, wherein step (B) further comprises:

determining a network failure condition.

5. (CURRENTLY AMENDED) The method according to claim 1, wherein step ~~(B)~~ (C) further comprises:

determining a server status prior to notifying said client of said time window.

6. (CURRENTLY AMENDED) The method according to claim 1, wherein step ~~(B)~~ (C) further comprises:

~~queuing~~ presenting bandwidth requirement information as part of said queuing indication.

7. (CURRENTLY AMENDED) The method according to claim 1, ~~wherein step (B) further comprises~~ further comprising:

notifying prior to step (C), determining if the particular client is willing to receive service at a later time.

8. (CURRENTLY AMENDED) The method according to claim ~~1~~ 7, wherein ~~step (B) further comprises:~~

~~_____~~ indicating said client indicates an availability to receive service at a later time.

9. (CURRENTLY AMENDED) The method according to claim 1, wherein step ~~(B)~~ (C) further comprises:

determining a configuration of said particular client machine.

10. (CURRENTLY AMENDED) The method according to claim 1, wherein step ~~(B)~~ (C) further comprises:

~~queuing said particular client for~~ requesting information from said client to provide service.

11. (ORIGINAL) The method according to claim 10, wherein said information comprises (i) a network location, (ii) reachability information and (iii) time constraints.

12. (CURRENTLY AMENDED) An apparatus comprising:

~~means for providing orderly service delivery to client machines over a network,~~

means for requesting data from a location on a server by
5 one or a plurality of clients; and

means for sending data to said client if said data is available;

means for notifying a particular client ~~machine of~~
~~availability if a denial is received~~ if said data is unavailable,

wherein said notification includes a queuing indication for notifying said particular client of a particular time window of availability; and

means for requesting said data from said server during said time window.

13. (CURRENTLY AMENDED) An apparatus comprising:

a server configured to provide ~~orderly service delivery~~ evenly distributed bandwidth requests to a number of clients each configured to request ~~information~~ data from said server, ~~wherein said number of clients and said server are configured to communicate~~ over a network;

a control circuit configured to notify a particular client if said data is unavailable, wherein said notification includes a queuing indication for notifying said client of a particular time window of availability; and

means for requesting said data from said server during said time window.

14. (CURRENTLY AMENDED) The apparatus according to claim 13, wherein said apparatus is further configured to ~~clearly~~ evenly distribute available resources of said server and said network.

15. (ORIGINAL) The apparatus according to claim 13, wherein said apparatus is further configured to determine a failure condition of said network.

16. (ORIGINAL) The apparatus according to claim 13, wherein said apparatus is further configured to determine a status of said server.

17. (CURRENTLY AMENDED) The apparatus according to claim 13, wherein said apparatus is further configured to ~~queue~~ determine bandwidth requirement information of said network.

18. (ORIGINAL) The apparatus according to claim 13, wherein said apparatus is further configured to notify said number of clients.

19. (ORIGINAL) The apparatus according to claim 13, wherein said apparatus is further configured to indicate an availability of said server.

20. (ORIGINAL) The apparatus according to claim 13, wherein said apparatus is further configured to determine a configuration of a particular client.